



Application No. 09/557,040
Attorney Docket No.: K35A0603

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
James S. ELLIS et al.) Group Art Unit: 3625
Application No.: 09/557,040) Examiner: Forest Thompson
Filed: April 21, 2000)
For: INTERNET BASED COMPUTER)
SYSTEM COMPONENT EXCHANGE)

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

[X] No additional claim fee is required.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

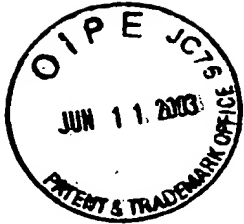
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By: _____

Stephen W. Palan
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Date: June 11, 2003
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GROUP 3600



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*#3/rep for
reconsideration
6-17-03*

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AMENDMENT

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Sir:

In complete response to the Office Action issued on March 12, 2003, reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-32 remain pending.

Applicants note with appreciation the Examiner's acceptance of the drawings filed on April 21, 2000.

In the third paragraph of the Office Action claims 1-32 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by U.S. Patent No. 6,029,146 to *Hawkins et al.* ("*Hawkins*"). This ground of rejection is respectfully traversed.

Hawkins does not anticipate Applicants' claim 1 because *Hawkins* does not disclose all of the elements of Applicants' claim 1. For example, *Hawkins* does not

disclose “a plurality of investment instruments comprising shares of ownership in the exchange server complex” or “a means for apportioning the net profit based on the number of shares associated with each owner-processor” as recited in Applicants’ claim 1. Furthermore, *Hawkins* does not disclose “a means for receiving one or more buy orders for computer components from the first owner-processor” as recited in Applicants’ claim 1.

Hawkins discloses a method and apparatus for trading securities electronically. Specifically, the system of *Hawkins* matches brokers, and confirms and settles trades orders between brokers. It is unclear exactly how *Hawkins* is being applied against Applicants’ claim 1 since the Office Action does not contain a citation to the figures or specification of *Hawkins*. Nevertheless, it appears that the Office Action is asserting that the Host 102 of *Hawkins*, which controls the matching of brokers, corresponds to the exchange server complex of Applicants’ claim 1. However, *Hawkins* does not disclose a plurality of investment instruments comprising shares of ownership interests in Host 102. Accordingly, *Hawkins* does not disclose “a plurality of investment instruments comprising shares of ownership interests in the exchange server complex” as recited in Applicants’ claim 1. Since *Hawkins* does not disclose the shares of ownership interest recited in Applicants’ claim 1, *Hawkins* cannot disclose “a means for apportioning the net profit based on the number of shares associated with each owner-processor” as recited in Applicants’ claim 1.

Additionally, *Hawkins* discloses a system for buying and selling securities. *Hawkins* does not mention buy orders for computer components, and hence, cannot

disclose “a means for receiving one or more buy orders for computer components from the first owner-processor” as recited in Applicants’ claim 1.

If this ground of rejection is maintained, Applicants’ respectfully request that the next Office Action specifically point out, by column and line number, where *Hawkins* discloses “a plurality of investment instruments”, “a means for apportioning”, and “a means for receiving” as recited in Applicants’ claim 1, so that Applicants’ have a full and fair opportunity to respond to this rejection.

Since *Hawkins* does not disclose all of the elements of Applicants’ claim 1, *Hawkins* cannot anticipate Applicants’ claim 1. Claims 2-17 depend from claim 1, and are, therefore, not anticipated by *Hawkins* for at least those reasons stated above with regard to Applicants’ claim 1.

Claim 18 recites a method with similar elements to those discussed above with regard to claim 1. For example, claim 18 recites the steps of “receiving one or more buy orders for computer components” and “apportioning the net profit based on the number of shares associated with each owner-processor.” Accordingly, *Hawkins* does not anticipate claim 18 for similar reasons to those discussed above with regard to claim 1. Claims 19-32 variously depend from Applicants’ claim 18, and are, therefore, not anticipated by *Hawkins* for at least those reasons stated above with regard to Applicants’ claim 18.

For at least those reasons stated above, it is respectfully requested that the rejection of claims 1-32 as allegedly being anticipated by *Hawkins* be withdrawn.

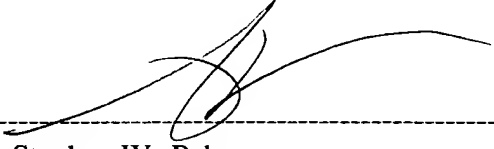


All outstanding objections and rejections having been addressed, it is respectfully submitted that the present application is in immediate condition for allowance. Notice to this effect is earnestly solicited. If there are any questions regarding this response, or the application in general, the Examiner is encouraged to contact the undersigned at 703-838-6578.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, LLP

By: _____


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